

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4208

IN THE MATTER OF:

Served November 19, 1993

CARRIER NO. 210, Suspension and)
Investigation of Revocation of)
Certificate No. 210)

Case No. MP-93-55

The Compact, Title II, Article XI, Section 7(g) states that "[a] Certificate of Authority is not valid unless the holder is in compliance with the insurance requirements of the Commission." Commission Regulation No. 58-02 provides that "[in] the event a carrier fails to maintain on file with the Commission an effective certificate of insurance, the operating authority of said carrier is deemed automatically suspended." Commission Regulation No. 58-06 mandates that "[c]ertificates of insurance shall be issued in the full and correct name of the . . . corporation . . . that is the carrier."

By request accepted for filing September 22, 1993, Carrier No. 210 applied for amendment of its certificate of authority, asking that the name on its certificate be changed from Metromed Systems, Inc., to Safe Transportation, Inc. The request was supported by a Certificate of Amendment issued by the District of Columbia Department of Consumer and Regulatory Affairs on September 20, 1993, as proof that Carrier No. 210's name had indeed changed from Metromed Systems, Inc., to Safe Transportation, Inc.

The request was conditionally granted in Order No. 4182¹ on October 7, 1993, contingent on Safe Transportation filing on or before November 6, 1993, a certificate of insurance issued in its name, together with a copy of the underlying policy. To date, Safe Transportation has filed neither a certificate of insurance nor a copy of the underlying policy, thereby voiding the conditional grant, as provided in Order No. 4182.²

¹ In re Metromed Sys., Inc., & Safe Transp., Inc., No. AP-93-28, Order No. 4182 (Oct. 7, 1993).

² On October 12, 1993, in response to a request from staff in connection with a related matter in which the insurance agent of Carrier No. 210 was asked to file a copy of the policy underlying the certificate of insurance then on file, the Commission received a copy of a Declarations Schedule issued in the name of "Steves Services, Inc.," the corporate predecessor of Metromed Systems, Inc., and Safe Transportation, Inc.

Considering that the full and correct name of Carrier No. 210 by its own admission is now Safe Transportation, Inc., and that no certificate of insurance issued in that name has been filed with the Commission,³ Carrier No. 210 is not in compliance with the insurance requirements of the Commission, specifically Regulation No. 58-06.

THEREFORE, IT IS ORDERED:

1. That this proceeding is instituted pursuant to Title II, Article XI, Section 10 of the Compact for the purpose of determining whether Certificate of Authority No. 210 shall be revoked.

2. That Carrier No. 210 is made a party respondent to this proceeding.

3. That Carrier No. 210 is directed to file within 30 days from the date of this order an appropriate certificate of insurance and a copy of the underlying policy, or such other evidence, in writing and under oath, as it may deem pertinent to show cause why Certificate of Authority No. 210 should not be revoked.

4. That Certificate of Authority No. 210 is suspended, and Carrier No. 210 is hereby directed to cease and desist from conducting transportation subject to the Compact, unless and until otherwise ordered by the Commission.

5. That Carrier No. 210 may file within 15 days from the date of this order a request for oral hearing in accordance with the Compact, Title II, Article XI, Section 10.

FOR THE COMMISSION:


William H. McGilver
Executive Director

³ The only certificate of insurance currently on file for Carrier No. 210 was issued in the name of Metromed Systems, Inc. The Commission has received various certificates of insurance in the name of Steve's Services, Inc., since Carrier No. 210 changed its name from Steve's Services, Inc., to Metromed Systems, Inc. Those certificates have been uniformly rejected for filing under Regulation No. 58.